

Exhibit 1

(State Court Documents)

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF SPARTANBURG	)	SEVENTH JUDICIAL CIRCUIT
)	
Tammy Hutchens,)	
	)	CASE NO: 2021-CP-
Plaintiff,)	
)	
vs.	)	SUMMONS
	)	(JURY TRIAL DEMANDED)
Keith Coleman, Roehl Transport, Inc.)	
)	
)	
Defendants.)	

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED AND REQUIRED TO ANSWER the Summons and Complaint in this action, herewith of which a copy is served upon you, and to serve a copy of your answer to said Summons and Complaint on the subscriber at his office at 212 East Black Street, Rock Hill, SC 29730 within thirty (30) days after the service hereof, exclusive of the day of such service; if you fail to answer the Summons and Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court for judgment by default for the relief demanded in the Complaint.

Respectfully submitted,

s/Harold C Staley, Jr.
Harold C. Staley, Jr.
SC Bar# 16739
ELROD POPE LAW FIRM
212 East Black Street
P.O. Box 11091 (29731)
Rock Hill, SC 29730
(803) 324-7574
Attorney for Plaintiff

February 17, 2021
Rock Hill, South Carolina

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF SPARTANBURG	)	SEVENTH JUDICIAL CIRCUIT
)	
Tammy Hutchens,)	
	)	CASE NO: 2021-CP-
Plaintiff,)	
)	
vs.	)	COMPLAINT
	)	(JURY TRIAL DEMANDED)
Keith Coleman, Roehl Transport, Inc.)	
)	
)	
Defendants.)	

NOW COMES the above-named Plaintiff, complaining of the Defendants herein, who does allege and show unto this Honorable Court the following:

1. Plaintiff is, and at all times mentioned in the Complaint was, a resident of York County, residing at 480 Maynard Grayson Road, York, SC 29710.
2. Plaintiff is informed and believes that Defendant Keith Coleman is, and at all times mentioned in the Complaint was, a citizen and resident of Camden County, residing at 1137 Langham Avenue, Camden, NJ 08103.
3. Plaintiff is informed and believes that Defendant Roehl Transport is a Wisconsin corporation, headquartered at 1916 East 29th Street, Marshfield, WI 54449.
4. Defendant Coleman is subject to the jurisdiction of this Court because he caused injury to persons within the State of South Carolina arising out of an act or omission he committed inside the State.
5. Plaintiff is informed and believes that, at all times described herein, Defendant Coleman was employed by and/or under the training and/or direct supervision of Defendant Roehl Transport.
6. Plaintiff is informed and believes that, at all times described herein, Defendant Coleman was acting in the course and scope of his employment with Defendant Roehl Transport, and/or operating a vehicle owned by Roehl Transport's vehicle with their express and implied consent.

7. Defendant Roehl Transport is subject to the jurisdiction of this Court because it operates, conducts, engages in, or carries on a business or business venture in the State of South Carolina such that it should anticipate being haled into court here; has an office or agency in the state of South Carolina; caused injury to persons within the State of South Carolina arising out of an act or omission it committed inside the State; sells products and materials that are used in the State of South Carolina in the ordinary course of commerce, trade, or use; or engages in substantial and not isolated activity within the State of South Carolina.

8. On or about October 28, 2019, Plaintiff was driving her vehicle northbound on Interstate 85.

9. Defendant Coleman was driving Defendant Roehl Transport's freight truck northbound on Interstate 85.

10. Defendant Coleman attempted to change lanes and collided with Plaintiff.

11. Plaintiff's vehicle struck the median wall.

12. The impact was to the passenger side of Plaintiff's vehicle.

13. Plaintiff was a driver at the time of the collision.

14. The accident and Plaintiff's resulting injuries were a direct and proximate result of the negligence, gross negligence, recklessness, and willfulness of Defendant Coleman in all of the following particulars:

- a. In then and there failing to give proper attention to circumstances then and there existing;
- b. In then and there failing to keep a proper lookout;
- c. In then and there failing to maintain proper control of his vehicle so as to avoid a collision;
- d. In then and there failing to timely apply brakes;

- e. In then and there failing to take any evasive action by any means to avoid a collision;
- f. In then and there failing to exercise that degree of care and caution which a reasonable and prudent person would have exercised under the circumstances then and there prevailing;
- g. In then and there operating a motor vehicle with reckless disregard for the rights and safety of others, especially the rights and safety of Plaintiff;
- h. In then and there driving his vehicle carelessly and heedlessly in willful and wanton disregard of the rights and safety of others without due caution and circumspection and in a manner so as to endanger or be likely to endanger the life of Plaintiff;
- i. In then and there violating the statutes and ordinances of the State of South Carolina, including but not limited to: violating speed limit laws; driving too fast for conditions; failing to yield right of way; and/or operating a vehicle with defective brakes.

15. The accident and Plaintiff's resulting injuries were a direct and proximate result of the negligence, gross negligence, recklessness, and willfulness of Defendant Roehl Transport in all of the following particulars:

- a. In negligently hiring Defendant Coleman;
- b. In negligently entrusting Defendant Coleman with a vehicle prior to adequately determining he had the requisite training to operate said vehicle safely;
- c. In failing to properly train and/or supervise Defendant Coleman;
- d. In failing to properly maintain and inspect the vehicle being driven by Defendant Coleman;

- e. In failing to keep the vehicle in a reasonably safe condition;
- f. In violating various laws and provisions of the Federal Motor Carrier Safety Regulations.

16. As a direct and proximate result of the negligence of Defendant, Plaintiff has incurred numerous damages, including but not limited to: past and future pain and suffering; mental anguish; impairment of health and physical condition; past, present, and future loss of enjoyment of life; lost wages; medical expenses; and medication expenses, all to her damage in a sum equal to or greater than one hundred thousand dollars (\$100,000.00).

WHEREFORE, Plaintiff prays for judgment against Defendant in a sum to be determined by a jury of Plaintiff's peers and to exceed one hundred thousand dollars (\$100,000.00), thus meeting the requirements set under the South Carolina Rules of Civil Procedure Rule 30(h), and should include actual damages, future damages, punitive damages in a reasonable amount, and the costs and disbursements of this action and for such other and further relief that this Court or jury deems just and proper.

Respectfully submitted,

s/Harold C Staley, Jr.
Harold C. Staley, Jr.
SC Bar# 16739
ELROD POPE LAW FIRM
212 East Black Street
P.O. Box 11091 (29731)
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(803) 324-7574
Attorney for Plaintiff

February 17, 2021
Rock Hill, South Carolina

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

Tammy Hutchens,

Plaintiff,

vs.

Keith Coleman, Roehl Transport, Inc.,

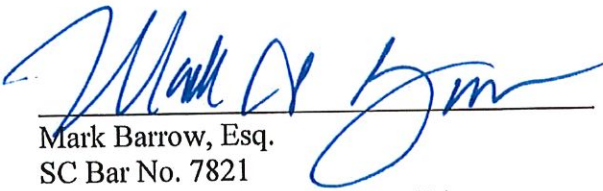
Defendants.

IN THE COURT OF COMMON PLEAS
SEVENTH JUDICIAL CIRCUIT

CASE NO: 2021-CP-42-00526

ACCEPTANCE OF SERVICE

I, Mark Barrow, have received a file-stamped copy of the Summons and Complaint in the above-captioned case and accept service on behalf of the defendants Keith Coleman and Roehl Transport, Inc.


Mark Barrow, Esq.
SC Bar No. 7821
Sweeney, Wingate & Barrow, PA
1515 Lady St.
Columbia, SC 29211
(803) 256-2233

February 18, 2021

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

Tammy Hutchens,

Plaintiff,

vs.

Keith Coleman, Roehl Transport, Inc.,

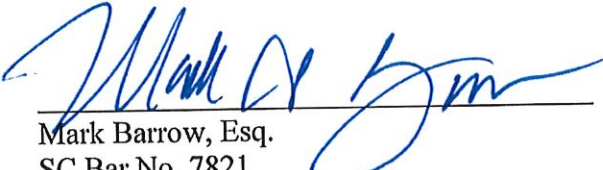
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